

<b>Applicant</b>	Estate of James Fazio/Il Lugano	
<b>Request</b>	Site Plan Level III/Mixed Use Development with Allocation of Flexibility Units/Waterway Use	
<b>Location</b>	3333 NE 32 Ave.	
<b>Legal Description</b>	Galt Ocean Mile, P. B. 34, P. 16, Block 1, Lots 13 – 15, Block 12, Lot 1 (the S. 53.45' as measured along the E. and W. lines thereof)	
<b>Property Size</b>	37,500 s.f.	
<b>Zoning</b>	CB	
<b>Existing Land Use</b>	Vacant non-residential building	
<b>Future Land Use Des.</b>	Commercial	
<b>Comprehensive Plan Consistency</b>	Consistent with Future Land Use Element, Permitted Uses in Commercial Land Use	
<b>Other Req. Approvals</b>	FDOT approval for relocation of storm drain line.	
<b>Applicable ULDR Sections</b>	Sec. 47-18.21, Mixed use development; Sec. 47-23.8, Waterway use; Sec. 47-24.2.A.3.c, Site plan development permit (Level III); Sec. 47-24.3, Conditional use; Sec. 47-28.1, Flexibility Rules	
<b>Setbacks/Yards</b>	<b>Required</b>	<b>Proposed</b>
	Front	5' Min.
	Rear	20' Min. (waterway)
	Side (South)	0' Min.
	Side (North)	10' Min.
<b>Lot Density</b>	Maximum 25 du/gross acre	24 du/gross acre
<b>Lot Size</b>	None	38,018 s.f.
<b>Lot Width</b>	None	150'
<b>Building Height</b>	150' Max.	146'
<b>Structure Length</b>	No Max.	190'
<b>Floor Area</b>	No Min./Max.	285,475 s.f.
<b>VUA Landscaping</b>	20 % of gross VUA	25% (9,470 s.f.)
<b>Landscaping Lot Coverage</b>	None	N/A
<b>Open Space</b>	As required by Sec. 47-18.21.H.2, Mixed Use Development (25%)	25.8%
<b>Parking</b>	161 spaces	173 spaces
<b>Notification Requirements</b>	Sign posting within 15 days of meeting	
<b>Action Required</b>	Approve, Approve with conditions or Deny the application	
<b>Project Planner</b>	<b>Name and Title</b>	<b>Initials</b>
	Angela Csinsi, Planner II	
	Chris Barton, AICP, RLA, Principal Planner	
	Bruce Chatterton, AICP, Planning and Zoning Manager	

**Request:**

The applicant proposes to construct a 14-story mixed-use building on a 38,000 s.f. lot located on the east side of the Intracoastal Waterway at the intersection of NE 32 Avenue and NE 34 Street. The project, to be known as Il Lugano, will have 24 multifamily residential units and 110 hotel rooms.

**Property/Project Description:**

The proposed site is located adjacent to the Intracoastal Waterway. To the south of the site is an existing seven level Maracay residential condominium building and the twelve level Continental residential condominium and to the north is the sixteen level Coral Ridge Tower residential building. Across the street to the east is the recently opened City Community Center. The site is now occupied by a single level non-residential building which has been used for a series of cocktail lounge/restaurant operations.

The proposed building will have five parking levels with one level below grade. There will be five stories of hotel rooms and four of multifamily residential units. A pool has been located on the north side of the site adjacent to the building. The proposed pool location does not require a modification of required yards. The applicant proposes to provide a 25-foot wide, 150-foot long strip of open space between the pool and the adjacent property. This area will be recorded as a pedestrian/utility easement for access to the water and for utilities.

The neighborhood is characterized by a number of mid to high-rise multifamily residential buildings surrounding the Galt Shops retail/restaurant area of one and two story structures.

**Utility Easement:**

There is an existing 54" storm drain line located under the site of the proposed building in the north portion of the lot. The applicant proposes to relocate this line and dedicate a 25-foot utility/pedestrian easement along the northern property line that will remain as landscaped open space. The proposed pool will be adjacent to but not within this easement. A water taxi stop is being considered to be located at the end of and adjacent to this 25-foot wide easement but is not a subject of this site plan request.

The applicant went to the Property and Right-of-Way (PROW) Committee meeting on May 15, 2003 for their recommendation for the relocation of the pipe and dedication of the easement. It should be noted that the proposed pool was located adjacent to the Intracoastal Waterway when the PROW Committee reviewed the proposal leaving a full 50-foot wide, open area adjacent to the building. The Committee recommended approval unanimously with the following conditions:

1. That a 25-foot pedestrian easement be provide in the same location as the proposed 25-foot utility easement.

2. All costs associated with relocation of the storm drain line shall be borne by the applicant.

See **Exhibit 1** for minutes from the PROW Committee meeting.

Some concern has been expressed by area residents over the proposed location of the pool on the north side. Early discussions about the possibility of providing a 50 foot wide utility and open space easement on the north side of the property have given way to the applicant's decision not to seek a yard modification in order to locate the pool between the proposed building and the Intracoastal Waterway. This has left the current proposal of the pool and a 25 foot wide easement as shown.

Subsequent staff discussions with the applicant indicated that while they would rather locate the pool on the waterway side, they were responding to earlier neighborhood opposition to a larger version of the total project and the decision was made not to seek a yard modification for the pool.

*The staff finding is that both the area residents and the applicant prefer the western pool location, but due to the applicant's efforts to respond to all concerns of the neighborhood they have decided not to seek the modification. This appears to be a case where the western pool location would be the more practical site and some representatives of the Coral Ridge Towers have expressed a desire that the pool be relocated in the required yard. Staff agrees and recommends that a condition of approval require the pool to be relocated to the southwest portion of the site and that a yard modification to do so be approved.*

### **Flex Allocation:**

Since this project is located within the CB (Community Business) Zoning District, the allocation of flexibility units is required in order to develop the proposed 24 residential units. The site is in Flex Zone 47, which has 4,407 units available. If this project is approved, 24 units will be subtracted from this pool leaving 4,383 units available for future development.

The relevant section containing the criteria for the allocation of flexibility units is:

**ULDR Sec. 47-28.1.F, Allocation of residential units on commercial or office park land use designated parcels;**

- 2. For mixed-use development, see subsection K.**

### **K. Allocation of flex for mixed use development.**

- 1. The City may allocate flexibility units for mixed use development through approval of a mixed use development, as provided in Sec. 47-18.21, Mixed Use Development. This applies to both the allocation of residential flexibility units on a commercial land use designated parcel and for allocation of commercial flex acreage on a residential land use designated parcel.**

**Parking and Traffic:**

The applicant is providing 173 parking spaces while the code requires 167 spaces. Hotels require 1 space for every room. With 110 hotel rooms, 110 parking spaces are required. The parking requirement for multifamily depends on the number of bedrooms proposed. The total number of parking spaces for the residential units is 51 spaces. Refer to Sheet A-1 (Site Plan) in the plan set for a complete breakdown.

**Adequacy and Neighborhood Compatibility:**

See attached narrative provided by the applicant (**Exhibit 2**)

*Staff concurs with this assessment.*

There has been some concern expressed by the residents of the Coral Ridge Tower over the possible impacts of shadowing on their existing pool. The applicant has prepared a shadow study which indicates that the new building will impact the pool of Coral Ridge Towers during the hours of 11:00 a.m. through 1:00 p.m. in the months of December and January. The study indicates that on December 15, the majority of the water area of the pool will be in shadow for a period of about one hour but that approximately 40% of pool deck will always be sunny. This situation will gradually lessen until on January 30, the majority of the water and deck areas will be in sun at all times. See shadow study attached to plans.

*The staff position is that the impacts of this shadowing while during the winter season will not prevent those residents from sunning at any time and will only degrade the experience of those wishing to swim for less than one hour each day for a period of several weeks. The applicant has worked to reduce the shadow impact by removing one floor and lowering the overall height in those critical areas that cause the shadows on the pool, by as much as nine feet from an earlier version of the design.*

**Comprehensive Plan Consistency:**

The proposed uses are consistent with the Future Land Use Element in the Comprehensive Plan.

**Neighborhood Support:**

See attached endorsement letters from surrounding community associations (**Exhibit 3**)

**Staff Determination:**

The applicant must comply with ULDR Sec. 47-18.21, Mixed Use Development; ULDR Sec. 47-23.8, Waterway Use; Sec. 47-24.2.A.3.c (Site Plan Level III); Sec. 47-24.3, Conditional Use; Sec. 47-28.1, Flexibility Rules. See attached narrative provided by the applicant (**Exhibit 2**).

Staff concurs with the applicant that all criteria have been met. Should the Board approve this application, the following condition is recommended:

1. Prior to Final DRC sign-off the applicant must provide a document showing approval from FDOT for relocation of the existing force main located under the site.
2. That the existing utility easement be vacated and all utilities relocated to the proposed utility and pedestrian easement at the applicant's expense.
3. That the pool be relocated to the southwest portion of the site with appropriate landscaping as approved by the City Landscape Plans Examiner.
4. Compliance with the City Construction Debris Mitigation Policy as attached.
5. Site plan approval shall be valid as provided in ULDR Section 47-24.1.M.
6. Final DRC approval.

**Planning & Zoning Board Action:**

1. If the Planning and Zoning Board determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for site plan level III review, the Planning and Zoning Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development or use, the issuance of the site plan level III permit.
2. If the Planning and Zoning Board determines that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall deny the site plan level III permit.

**City of Fort Lauderdale**  
**Building Services Division Construction Debris Mitigation Policy**

Section 24-11 Construction Sites, of the City of Fort Lauderdale Code of Ordinances is for the purpose of controlling construction debris. In accordance with the Code, any property under construction is required to contain construction debris on the subject property site. In an effort to ensure that construction debris does not spillover onto adjacent sites, the Building Services Division will require the following mitigation measures as minimum conditions to prevent the spillover of construction debris onto adjacent properties. These measures are to be included in a Construction Debris Mitigation Plan, which will be submitted to the Building Official, prior to the issuance of a building permit for the subject project. Additional measures may be required to ensure compliance with the Code, as deemed necessary by the Building Official.

1. Extermination of the site and buildings prior to demolition. A certificate certifying that the site has been exterminated is required to obtain a demolition permit.
2. Wet demolition of existing buildings is required to minimize dust.
3. Install and maintain a 6' screening (wind blown) on all ground level perimeter site fencing to minimize dust and debris blowing out to surrounding buildings.
4. Adherence to all state and county regulations with regards to the handling of asbestos in existing buildings.
5. Provide for construction employee parking and construction staging areas, to be reviewed and approved by the City's Engineering Department, and as necessary the City's Zoning and Parking Divisions.
6. The Building Division will require measures to minimize the airborne concrete when pouring. Such measures may include, but are not limited to, use of a wet saw when cutting concrete, wind screens around saws on concrete work deck; wind screens on end of concrete pump hose, etc.
7. The Building Division will require measures to minimize airborne debris from all open floors, including but not limited to, a requirement that each floor undergoing construction activity be wrapped to control the spillover of concrete and dust onto adjacent properties.
8. Sweeping compound will be required to minimize dust when sweeping the open floors of the building.
9. Broom cleaning of adjacent streets and sidewalks is required on a daily basis.
10. A hot line telephone number for the subject property is required to address issues as they arise.

On site visits by City Building Inspectors and other building officials will occur, as needed, to ensure that the concerns of adjacent property owners regarding construction debris and noise are being properly and timely addressed. The costs incurred for such inspections will be borne by the applicant.